

# **JAIL POPULATION REVIEW COUNCIL**

## **CIVILIAN OVERSIGHT COMMISSION**

October 21, 2021

## **RECAP: PURPOSE OF THE COUNCIL (BASED ON 9.15.20 MOTION)**

- Jail Population Review Council tasked with overseeing efforts to continue to safely reduce incarceration in LA County, in line with County's Care First approach
- Ad-Hoc Committees have prioritized recommendations for implementation, vetted with all committees, drafted basic implementation plans, based on:
  - **Data-driven:** *bookings, releases, and who remains in custody*
  - **Impact** on reducing the jail population
  - → **Identifying specific goals and benchmarks to monitor progress**
  - Promote **racial and social equity**
  - Align with the **ATI report** recommendations
    - Promote **community care**
    - Promote **harm reduction**

# JAIL POPULATION MANDATE

Current Population

**14,199 people**



Motion Baseline: **below BSCC rating**

**12,404 people**



With **Men's Central Jail Closure Plan**

**8,500 people**

**PRESENTATION: CURRENT JAIL,  
ARREST AND BOOKING DATA**



# **September Data Presentation**

# Data Used

LASD daily population management documents

- First & middle of each month (Jan.-Nov. 2020)
- More or less daily, starting Nov. 25, 2020

Data available at: <https://www.vera.org/care-first-la-tracking-jail-decarceration>

Note: The LASD documents sometimes break down data for males and females. All references to 'females' throughout this presentation are directly from the documents. Gender information is presented in a binary way (i.e. male and female) and does not denote people who identify as transgender, gender-non-conforming, etc.

# Current Jail Population

09/20/2021

Total Population  
**14,678**

Females  
**1,375**

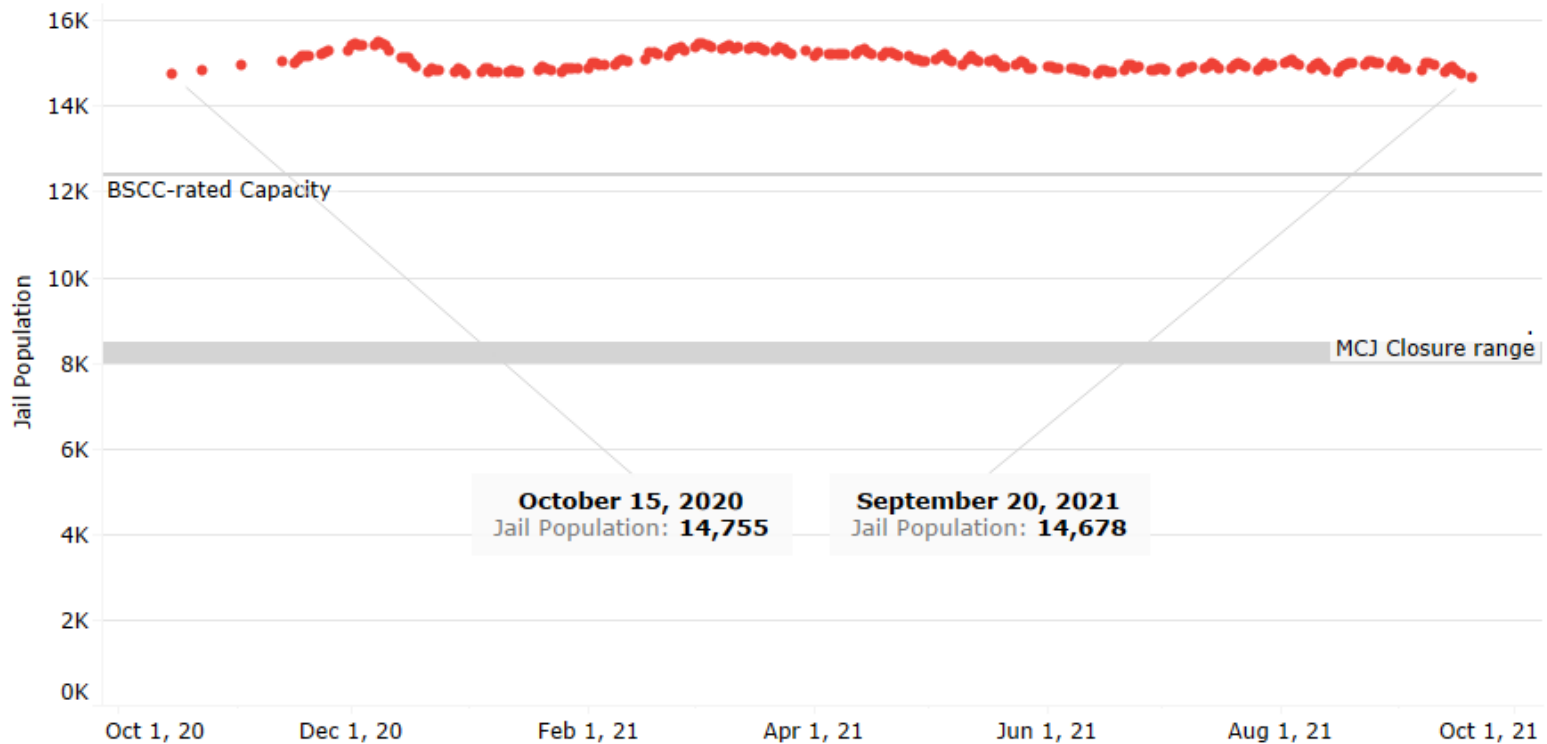
Black  
**4,195**

Hispanic  
**8,084**

Mental Health  
Population  
**5,950**






You can always access the daily population at Vera's Care First LA [dashboard](#).

**The jail population has been ~15,000 for almost a year.**



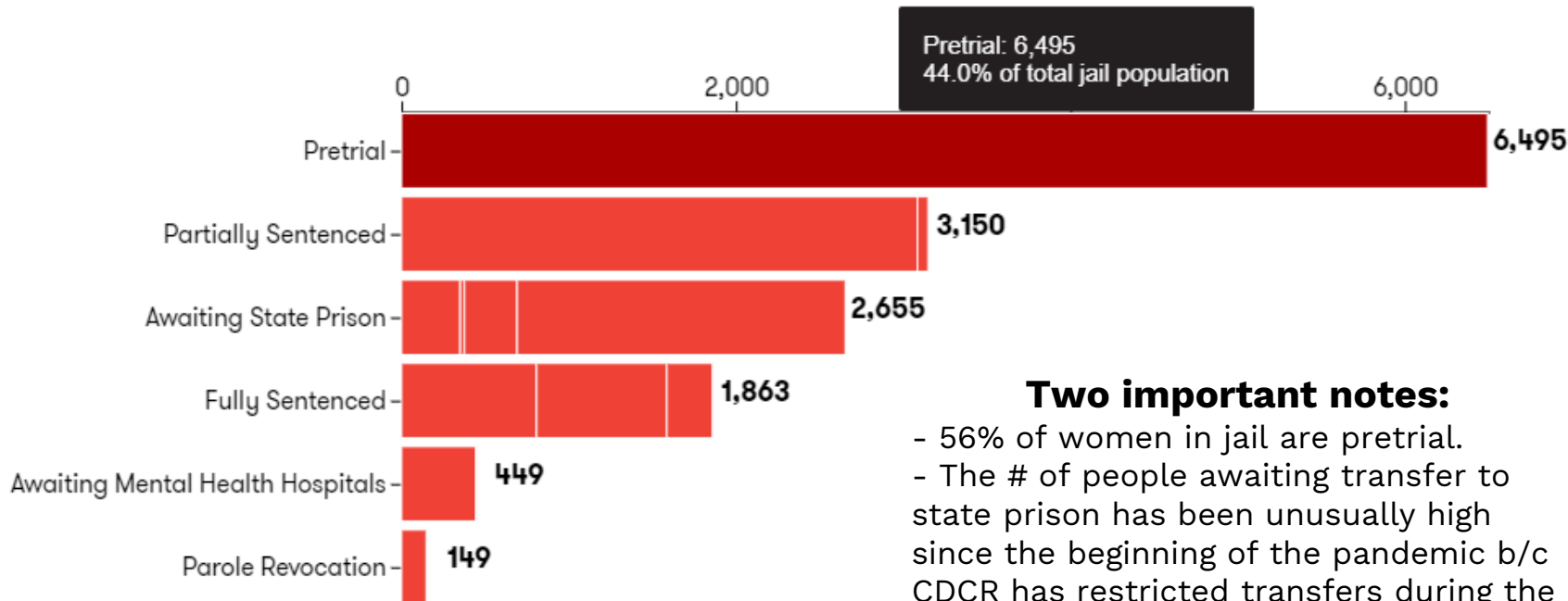


**Attention needs to be given to policies that will reduce the  
Pretrial and Partially Sentenced populations.**

Group	Target	March 30	Current	Progress since March 30, 2021
Pretrial	3,488	5,713	6,428	 -32.1%
Partially sentenced	1,968	3,070	3,156	 -7.8%
Sentenced	2,063	2,015	1,817	 100+%
People awaiting transfer to state prison	700	3,901	2,672	 38.4%
Total jail population	8,179	15,262	14,678	 8.2%

## The largest case status group is still pretrial.

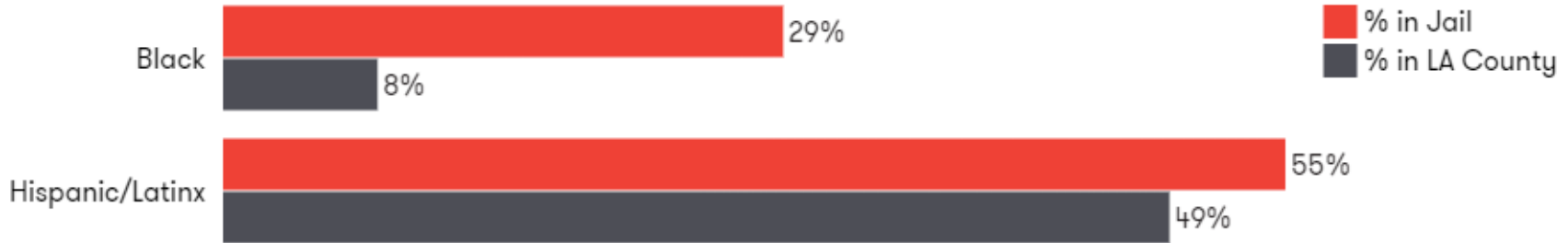
Number of People in Custody by Case Status



### Two important notes:

- 56% of women in jail are pretrial.
- The # of people awaiting transfer to state prison has been unusually high since the beginning of the pandemic b/c CDCR has restricted transfers during the pandemic.

## **There are still racial disparities in incarceration for Black and Latinx/Hispanic people.**



**Racial disparities are even worse for Black women (not shown)**

**There are 5,950 people in  
the **mental health population**.**

Jail Population with  
Mental Health Needs  
**40%**

Change since 2020  
**+21%**

**The mental health population has  
increased since 2020.**

## **Almost 2 in 3 women in LA County jails have mental health needs.**

Males with Mental  
Health Needs

**37%**

Females with Mental  
Health Needs

**65%**

# Moderate Observation Housing is a rapidly-growing group.

Current Date	09/14/2021	Change since	last month ▼
Total Mental Health Population	5,950	+242	
High Observation Housing	1,296	-31	
Moderate Observation Housing	2,928	+291	
General Population Receiving Meds	1,726	-18	

**PRESENTATION: COMMITTEE  
PROPOSALS AND IMPLEMENTATION  
PLANS**

# GLOBAL RECOMMENDATIONS

## 1. Expansion to Community System of Care

JPRC urgently calls for the Board to commit to the expansion of the community-based system of care to divert thousands of individuals with behavioral health needs away from the jail and into care that will reduce recidivism and improve long-term outcomes for individuals and communities.

## 2. Pretrial Services Agency

In light of the jail population trends showing that the pretrial population: (1) continues to be a significant part of the population that did not improve despite the COVID reductions in the spring of 2020 and (2) continues to have high racial disparities, especially for Black women, the Council urges the Board to move forward quickly in its efforts to develop a countywide, independent pretrial services agency, including developing a timeline for implementation and investing sufficient resources to create a comprehensive countywide program of pretrial services.



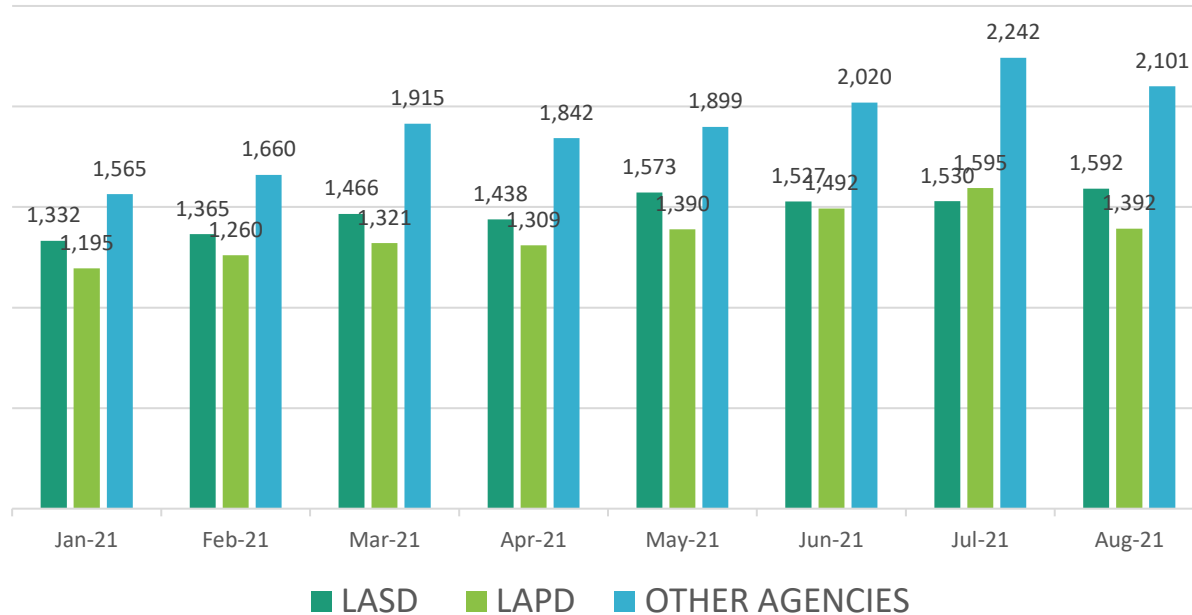
# FIELD OPERATIONS AD HOC COMMITTEE

Arrest & Booking Data

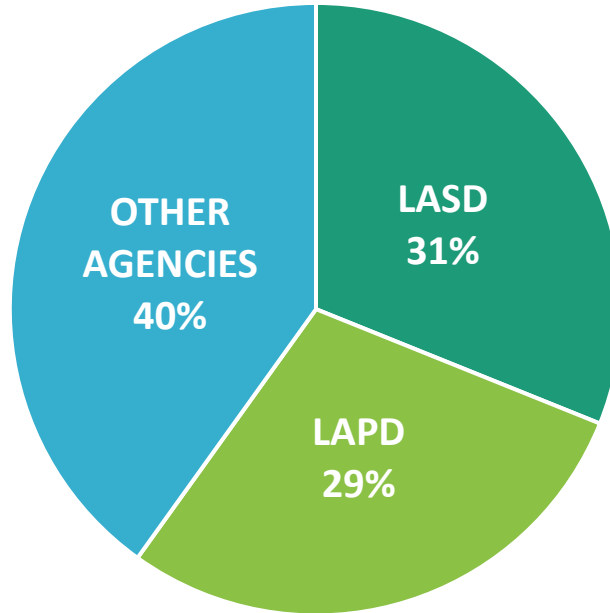
August 2021

# Total Bookings by Agency

## January - August 2021



# Total Bookings by Agency January - August, 2021



## COMMITTEE RECOMMENDATIONS: REENTRY AND RELEASE

1. Implement a **passenger van service** to expand transportation options for individuals leaving jail.

2. **ATI recommendation # 71: Create a warm landing place / transition shelter:** Develop and fund a transition shelter within a few blocks from the downtown jails, operated by community-based organizations with safe, welcoming overnight stays for people released after hours that offers a range of support.

## COMMITTEE RECOMMENDATIONS: REENTRY AND RELEASE (CONTINUED)

3. Increase and streamline access to Department of Motor Vehicles (DMV)-issued California Identification cards (CA IDs) for individuals leaving LA County jails to meet the estimated need of 16,800 applications per year compared to the 2,883 processed in 2020, through the following steps:

- a) Establish a County fund to cover fees for all in-custody applicants, estimated at **\$151,200** annually.
- b) Assign the appropriate County staff to meet with in-custody applicants and process applications, and provide funding, if needed, to create this expanded/dedicated team.
- c) Instruct a staff team representing DHS Care Transitions, ATI, LASD, and CEO, to engage with the State DMV to assess the DMV staff, funding, and other logistics needed to expand capacity beyond what is in the existing MOU with LASD, identify funding sources, and determine whether legislative or policy changes are needed to expand the MOU.

4. Increase access and expand availability of pre- and post-release employment programs and partnerships with employers to help people find jobs when released. As an initial phase and investment, we recommend replicating the current jail-based job center model at one additional site within the next year.

## COMMITTEE RECOMMENDATIONS: COURT PROCEDURES

1. Continue COVID-related zero bail policies, frequent review of people deemed medically vulnerable for release and LASD early release policies to maintain population reductions.
2. Create educational materials and trainings to inform LA County judges about countywide diversion and decarceration efforts in order to build judicial engagement. Initial educational efforts should prioritize pretrial diversion and mental health diversion.

# COMMITTEE RECOMMENDATIONS: LEGISLATIVE

1. **Expand Vehicle Code 41500** to require dismissal of vehicle code-related misdemeanors once an individual has been sentenced to state prison or county jail on an 1170(h) felony. Applicable to victimless misdemeanors (e.g., drug possession); once someone has been convicted and sentenced to state prison (or an 1170(h) county jail sentence), their outstanding victimless misdemeanors would be dismissed, expediting transfer to state prison or release from county jail.

2. **Align local jail credits to California Department of Corrections and Rehabilitation (CDCR) credits:**

- a. Modify Penal Code §2933.1 to permit individuals in county jail custody who are charged with a §667.5 offense to earn 34% good conduct credits against their sentence (vs. current 15% credits) while serving time in county jail, as is already true for individuals serving time in CDCR.
- b. Create a new category of credits for individuals detained in county jail based on existing CDCR credits awarded for the completion of programming or educational goals.
- c. Require Sheriffs to identify individuals held in county jail as “minimum custody inmates”, consistent with CDCR’s minimum custody inmate policy, and award them 66% conduct credit per Code of Regulations section 3043.2 (b)

## COMMITTEE RECOMMENDATIONS: LEGISLATIVE (CONTINUED)

3. Expand the number of offenses that can be reduced from a felony to a misdemeanor, creating a presumption in favor of reduction for reducible offenses, and making reduction to a misdemeanor mandatory for some commonly overcharged offenses pursuant to Penal Code section PC 17(b). Specific changes to the Penal Code would include:

- a. Make non-violent offenses currently categorized exclusively as felonies into wobblers (an offense chargeable as a felony or misdemeanor), including low-grade drug sales and specified non-violent offenses.
- b. Create a presumption in favor of reduction from felony to misdemeanor for all wobblers.
- c. Mandate a reduction from felony to misdemeanor for vandalism and other property offenses where damages are under \$950.
- d. Mandate a reduction of felony to misdemeanor for violation of Penal Code section 422 (criminal threats) where no weapon, injury, or domestic violence victim/survivor is involved.

4. Modify California Penal Code Section 1001.36 to mandate a grant of mental health diversion if the prosecution does not oppose the grant.



## COMMITTEE RECOMMENDATIONS: LEGISLATIVE (CONTINUED)

5. Require any county jail system which has a jail population over the BSCC-rated capacity to refer for release all those incarcerated pre-trial or for probation or AB 109 violations for non-serious, non-violent, and non-sexual offenses, with specified exceptions. This legislation would require the Sheriff's Department of each county to maintain an up-to-date list of individuals who fall into the "non, non, non" category. Upon reaching capacity, they will share the list daily with the relevant prosecutor's office, who would then have 15 days from receipt to prove that an individual poses a continued threat to the public in order to block release.

6. Create a presumption of release to mental health services for any individual with a mental health diagnosis for whom a county agency has identified an appropriate, funded service provider, and provide funding for in- and out-patient services for "hard to place" individuals:

- a. Pre-trial Population: Modify Penal Code sections 1270.2 and 4011.8
- b. Sentenced Population: Modify penal code 4011.8
- c. Provide funding for services for individuals who are eligible for release but have difficulty finding placements because of their past records.